



Attorney Docket No. 5100-0702.20

PATENT

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By: 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of BRUCHEZ et al.

Serial No.: 10/735,608

Examiner: Unassigned

Confirmation No.: 1956

Art Unit: 1645

Filed: December 12, 2003

For: METHOD FOR ENHANCING TRANSPORT OF SEMICONDUCTOR  
NANOCRYSTALS ACROSS BIOLOGICAL MEMBRANES

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
  - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
  - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- Check No. \_\_\_ in the amount of \$\_\_\_ for the total fee is attached.

[X] A return receipt postcard is also enclosed.

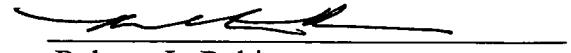
[ ] Please charge \$ \_\_\_\_\_ to Deposit Account No. 18-1648 for the total fee.  
This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37  
C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any  
overpayment, to Deposit Account No. 18-1648.

Dated: 7/19/04

Respectfully submitted,

By:

  
Roberta L. Robins  
Reg. No. 33,208

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### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- [x] Pursuant to 37 C.F.R. §1.98, a copy of document C5 cited in the attached Form PTO/SB/08 is enclosed.
- [x] No copies of publications A2,A3,B1 and C1-C4 listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 09/972,744 to which the above-identified application claims priority under 35 U.S.C. §120.
- [x] No copies of publications A1,A4 and A5 are being provided pursuant to Office waiver of 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

- Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.
- Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) \_\_\_. English language publication \_\_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) \_\_ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) \_\_ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. \_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

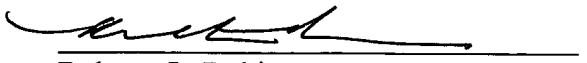
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

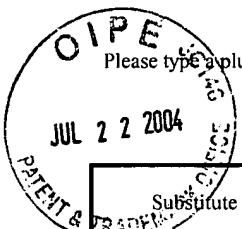
Dated: 7/19/04

Respectfully submitted,

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Fax: (650) 493-3440

By:

  
Roberta L. Robins  
Reg. No. 33,208



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PTO/SB/08A (08-00)

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| <p>TRADEMA<br/>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p> |   |    |   | <i>Complete if Known</i> |                   |
| Sheet   | 1 | of | 2 | Attorney Docket Number   | 5100-0702.20      |
|   |   |    |   | Application Number       | 10/735608         |
|   |   |    |   | Filing Date              | December 12, 2003 |
|   |   |    |   | First Named Inventor     | BRUCHEZ           |
|   |   |    |   | Group Art Unit           | 1645              |
|   |   |    |   | Examiner Name            | Unassigned        |

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-DD-YYYY | T <sup>6</sup> |
|--------------------|-----------------------|-------------------------|---------------------|--------------------------------------|---|---|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |   |                |
|                    | B1                    | EP                      | 0 990 903           | A1                                   | MASSACHUSETTS INSTITUTE OF TECHNOLOGY           | 04-05-2000  |                |
|                    |                       |                         |                     |                                      |   |   |                |
|                    |                       |                         |                     |                                      |   |   |                |
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| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

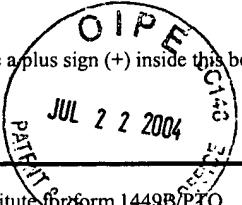
<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

**4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.**

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00)

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|---|---|----|---|--------------------------|--------------|
| Substitute for Form 1449B/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(use as many sheets as necessary)</i> |   |    |   | <i>Complete if Known</i> |              |
| Sheet   | 2 | of | 2 | Attorney Docket Number   | 5100-0702.20 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS |                       |   |  |  |                |
|---|-----------------------|---|--|--|----------------|
| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  | T <sup>1</sup> |
|   | C1                    | BRUCHEZ et al., "Semiconductor Nanocrystals as Fluorescent Biological Labels," (1998), <i>Science</i> 281:2013-2016   |  |  |                |
|   | C2                    | CHAN et al., "Quantum Dot Bioconjugates for Ultrasensitive Nonisotopic Detection," (1998), <i>Science</i> 281:2016-2018   |  |  |                |
|   | C3                    | DUBERTRET et al., In Vivo Imaging of Quantum Dots Encapsulated in Phospholipid Micelles, (2002), <i>Science</i> 298:1759-1762.  |  |  |                |
|   | C4                    | LACOSTE et al., "Super Resolution Molecular Ruler Using Single Quantum Dots," (2000), <i>Biophysical Journal</i> 78:420A (abstract)   |  |  |                |
|   | C5                    | TKACHENKO et al., "Multifunctional Gold Nanoparticle-Peptide Complexes for Nuclear Targeting", (2003), <i>J. AM. CHEM. SOC.</i> 125, 4700-4701.   |  |  |                |
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| Examiner Signature |  | Date Considered |  |
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